



STATE OF DELAWARE
OFFICE OF HIGHWAY SAFETY
www.ohs.delaware.gov

Newsletter Article

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Implied Consent

So, you decide to drive after having a few drinks. You see red and blue lights in the rear-view mirror. And, a police officer is pulling you over. What happens next? You may be asked to take a test to determine your Blood Alcohol Concentration (BAC) to determine if you are driving under the Influence (DUI) of alcohol or drugs. You agreed to submit to this test when you signed your driver's license, it's called Implied Consent.

Implied Consent means that if you drive in Delaware and are suspected of DUI, you voluntarily agree to a chemical test to determine the degree of impairment.

But, what happens if you refuse to submit to a chemical test? In addition to penalties for DUI, failure to take the test carries a penalty of loss of license and/or driving privileges for a period of:

- one year for a 1st offense,
- 18 months for a 2nd offense, and
- 24 months for the 3rd subsequent offense.

Not only is driving impaired dangerous for you and others on the road, it also carries the risk of fines, loss of license, mandatory treatment and ignition interlock device. For information about Implied Consent, go to the webpage for the Delaware Division of Motor Vehicle (DMV) at www.dmv.de.gov. And for more on DUI, go to www.duirealtime.com.

Drive Sober. Arrive Alive DE.